

**STATUS OF THE CLAIMS**

Claims 1-21 were pending.

Claims 1-21 have been restricted under 35 U.S.C. § 121.

Claims 18-21 have been withdrawn as non-elected subject matter subject to Applicants right to refile the claims in a divisional application.

Claims 1-17 are presented for reconsideration.

REMARKS

Claims 1-21 have been restricted under 35 U.S.C. § 121 among the following inventions:

- I. Claims 1-17, drawn to a composition comprising an active agent encapsulated in a mixture comprising at least one modified starch and at least one protein;
- II. Claims 18 and 19 drawn to a method of making a composition comprising an active agent encapsulated in a mixture comprising at least one modified starch and at least one protein; and
- III. Claims 20 and 21, drawn to a product selected from the group consisting of food, pharmaceutical, personal, hair or animal care, paper and household products and comprising an active agent encapsulated in a mixture comprising at least one modified starch and at least one protein.

Applicants elect Group I, claims 1-17, drawn to a composition comprising an active agent encapsulated in a mixture comprising at least one modified starch and at least one protein. Claims 18-21 have been withdrawn as non-elected subject matter subject to Applicants right to refile the claims in a divisional application.

Group I has been subjected to species election under 35 U.S.C. § 121 among the species of claim 3;  $\beta$ -amylase, glucoamylase, maltogenase, pullulanase, exo-alpha-1,4-glucosidase, exo-1,4-alpha-D-glucan maltotetrahydrolase, and exo-1,4-alpha-D glucan maltohexahydrolase. Applicants elect  $\beta$ -amylase. All claims are readable upon this species.

Group I has also been subjected to species election under 35 U.S.C. § 121 among the species of claim 10; unsaturated fatty acids, citrus oils, vitamins, tocopherols, tocotrienols, beta-carotene, marine oils, and omega-3 fatty acids. Applicants elect omega-3 fatty acids. All claims are readable upon this species.

In view of the foregoing, Applicant respectfully requests early action in this application.

Respectfully submitted,



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